

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
New York Mills Offices, Courtroom  
118 Main Ave N, New York Mills, MN  
August 18, 2009  
9:15 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, August 18, 2009, at 9:15 a.m., at the Otter Tail County New York Mills Courtroom in New York Mills, MN, with Commissioners Everett Erickson, Chair; Roger Froemming, Vice-Chair; John Lindquist, Doug Huebsch, and Lee Rogness present.

**Approval of Agenda**

Motion by Froemming, second by Lindquist, and unanimously carried to approve the Board of Commissioners agenda of August 18, 2009, with the following additions:

9:45 a.m. - West Central MN Dairy Initiative Update  
Acceptance of Law Enforcement Grant Agreement

**Approval of Minutes**

Motion by Rogness, second by Huebsch, and unanimously carried to approve the Board of Commissioners meeting minutes of August 11, 2009, as mailed.

**Approval to Pay Bills**

Motion by Rogness, second by Lindquist, and unanimously carried to approve payment of the County Board bills per Attachment A of these minutes.

**Committee of the Whole Discussion**

Commissioner Lindquist reported on the Leadership Summit offered by the Association of Minnesota Counties. He stated that it was a very good conference and encouraged other commissioners to attend in the future. Commissioners discussed the EOTSWCD Tour scheduled for August 19<sup>th</sup> as well as the State Agriculture Commissioner's visit also scheduled on August 19<sup>th</sup> from 8:30 a.m. to 10:00 a.m.

**4-H Update**

4-H Coordinator, Janet Malone, briefed the Board on the 2009 East Otter Tail County Fair and provided handouts showing number and types of exhibits, ribbons awarded, and 4-H Food Stand profits. Discussion continued regarding the State Fair and other 4-H topics.

**West Central Minnesota Dairy Initiative**

Minnesota Dairy Initiative Coordinator, Rick Olson, stated that he coordinates the dairy initiative for the west central Minnesota region which includes 12 counties, one of them being Otter Tail County. Mr. Olson puts together the teams that visit farms for the Dairy Diagnostics program. He thanked Otter Tail County for being the fiscal agent for the program and requested that Otter Tail County continue as fiscal agent. A handout was submitted which reported that, based on 2007 farm records analysis, the Dairy Diagnostics teams produced a \$53,456,139.06 return for the State's investment. Commissioner Huebsch requested a breakdown of that calculation. The Board was favorable towards the program and will continue consideration of the request with the upcoming budget process.

### **Grant for Off Road Vehicle Enforcement**

Motion by Rogness, second by Froemming, and unanimously carried to authorize the Chairman's signature to execute a State of Minnesota Grant Contract for a two-year grant from the Department of Natural Resources, in the amount of \$10,422.00 per year. The grant will pay for overtime and equipment for off road vehicle enforcement. The contract expires June 30, 2011.

### **Safe Communities Coalition**

#### **Traffic Fatalities:**

Highway Engineer, Rick West, spoke regarding the fact that Otter Tail County is back on the list of the 13 deadliest counties for traffic fatalities in the State of Minnesota. He reported that Otter Tail County had been off the list the past few years and is back on the list in 2009 due to the number of serious injuries. A summary of findings of the Fatal Review Committee was submitted for 2008. Mr. West is a member of the Safe Communities Coalition which works to reduce serious injury crashes and fatal injury crashes. Mr. West will be providing training Wednesday, September 9, 2009 at Noon at Lakes Country Service Cooperative to discuss how to make roads safer.

#### **DWI Enforcer All-Star Award:**

MN Department of Public Safety Law Enforcement Liaison, Tom Kummrow, presented an award to Otter Tail County deputy, Scott Wagner, for top DWI arrests. Deputy Wagner joins about 15 others in greater Minnesota in this honor. The County Board congratulated Mr. Wagner for his diligent work.

#### **Operation Night Cap Program:**

A representative from the Minnesota troopers discussed the Safe and Sober program which is being combined with seat belt enforcement. He stated that fatalities are actually down in the last 20 years and troopers continue to work towards reduced numbers. Seat belt compliance was reported at 87 to 90%.

### **Highway Department**

#### **Construction Project Update:**

Highway Engineer, Rick West, briefed the Board on this year's construction projects.

#### **Purchase of Front End Loader:**

Motion by Lindquist, second by Froemming, and carried with Rogness abstaining, to approve the purchase of a 2009 John Deere 624K Front End Loader from the State Bid at a cost of \$103,166.44 after a trade-in of a 1993 624G Loader. The vendor is RDO Equipment Co.

#### **Winter Snow Costs:**

Mr. West presented Otter Tail County Winter Snow costs from the 2004-2005 winter season through 2008-2009 season. The 2008-2009 season was reported as the highest cost at \$1,176,967.65 with average seasonal snow removal cost reported at \$923,372.31. Mr. West stated that the winter cost affects how much construction work can be completed the following summer.

### **Recess & Reconvene**

At 10:52 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 11:01 a.m.

### **Planning Commission Recommendations**

#### **Preliminary Plat – “South Star Estates”; Armin Rubbert, Developer/Cal Dockter:**

Motion by Froemming, second by Lindquist, and carried with Huebsch abstaining and Rogness absent, to approve a Preliminary Plat entitled “South Star Estates” consisting of 4 single family residential lots with conditions as recommended by the Planning Commission. The property is described as Pt of Sublot 1 of GL 2 Com SE cor SW¼ , (4.33 AC), Section 23 of Star Lake Township; Star Lake (56-385), GD.

#### **Conditional Use Permit – Jean Soland et al, Mike Woodard, Charles & Linda Beeber:**

Motion by Erickson, second by Huebsch, and carried with Rogness absent, to approve a Conditional Use Permit to place fill to avoid flooding with conditions as recommended by the Planning Commission. The property is described as Lots 2, 3 & 4 Blk 1 Jerry Marge Beach, Section 7 of Hobart Township; Scalp/Seven Lake (56-358), RD.

#### **Conditional Use Permit – Michael & Stacey Foss:**

Motion by Erickson, second by Froemming, and carried with Lindquist opposed, to approve a Conditional Use Permit to build retaining walls and back fill to bring the structure into height compliance with conditions as recommended by the Planning Commission. The property is described as Lot 4 & Lot 3 ex E 40' Blk 1 Lemar & W 17' of Lot 20 & all of Lot 21 Maplehurst, parcels not to be split, Section 26 of Lida Township; Lake Lida (56-747), GD.

#### **Conditional Use Permit – Robert & Susan Mitchell:**

Motion by Huebsch, second by Rogness, and carried with Erickson opposed, to approve a Conditional Use Permit to erect a 42' steel tower and attached wind energy turbine as presented. The property is described as Frl S½NW¼ ex trs and pt NE¼SW¼ com S¼ cor Sec 6 (69.24 AC), Section 6 of Otto Township; Albert Lake (56-118), NE.

#### **Conditional Use Permit – Kyle Bergren:**

Motion by Rogness, second by Lindquist, and unanimously carried to approve a Conditional Use Permit to replace existing retaining walls with conditions as recommended by the Planning Commission. The property is described as Cedar Park Club Lot 2, Section 30 of Dane Prairie Township; Swan Lake (56-781), RD.

#### **Conditional Use Permit – Gerald F. Janes:**

Motion by Lindquist, second by Froemming, and unanimously carried to approve a Conditional Use Permit to do topographical work for a walk out basement with conditions as recommended by the Planning Commission. The property is described as Lot 1 Silver Shores & Lot 1 Blk 1 Silver Shores 2<sup>nd</sup> Addn parcels #684 & #1135 not to be split, Section 28 of Everts Township; Silver Lake (56-302), RD.

#### **Conditional Use Permit – Loon Lake Resort/Jon W. Jr. & Penny D. Perry:**

Motion by Rogness, second by Huebsch, and unanimously carried to approve a Conditional Use Permit to upgrade the resort by removing buildings and adding campers with a condition as recommended by the Planning Commission. The property is described as Parts of GL's 3,4,5 and NE¼ NW ¼ & Lot 9 Blk 1 Loon Mere Estates, Section 35 of Candor Township; Loon Lake (56-523), RD.

**Extension Request for Final Plat**

Motion by Rogness, second by Froemming, and unanimously carried to approve an extension for filing the Final Plat entitled "Crystal Lida Beaches Backlots" until August 19, 2010. The property is located in Section 11 of Lida Township; Crystal Lake (56-749).

**Proposed Cluster Development – Pierre duCharme**

Land & Resource Director, Bill Kalar, referred to the recreational campground proposed last year by Pierre duCharme. The request was denied and appealed to District Court, who remanded the decision back to Otter Tail County. A petition has now been filed for an Environmental Assessment Worksheet (EAW) with the Environmental Quality Board (EQB) by opponents to the project. The 60 day time limit for a decision was discussed. Motion by Rogness, second by Huebsch, and unanimously carried to extend any applicable 60 day decision period in the duCharme remand an additional 60 days to analyze the matter in light of the petition for an EAW filed with the EQB. This motion is pursuant to M.S. 15.99 Subd. 3 (f).

**Conference through the National Advocacy Center**

County Attorney, David Hauser, reported that a prosecutor in his office will attend a conference in South Carolina with most expenses being paid from the National Advocacy Center. The training will cost less than a similar training in Minnesota.

**Family Services Collaborative**

Motion by Erickson, second by Huebsch, and unanimously carried to approve payment of an invoice, in the amount of \$300, payable to the Otter Tail Family Services Collaborative for FY2009/2010 to be paid out of the General Revenue budget.

**Emergency Management Grant**

County Coordinator, Larry Krohn, applied for a grant from the Minnesota Department of Public Safety and received \$32,089.00 to be used for Emergency Management.

**Recess & Reconvene**

At 11:40 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners adjourned. The meeting was reconvened at 11:44 a.m.

**Truck Rodeo**

Motion by Erickson, second by Froemming, and unanimously carried to authorize employees to volunteer for the Highway Department to work at the Truck Rodeo. Volunteering from one department to another is handled the same as regular worked hours.

**Adjournment**

At 11:47 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, August 25, 2009.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Everett P. Erickson, Board of Commissioners Chair

Attest: \_\_\_\_\_  
Larry Krohn, Clerk

<b>WARRANTS APPROVED ON 8/18/2009 FOR PAYMENT 8/18/2009</b>	
<b>VENDOR NAME</b>	<b>AMOUNT</b>
A-1 LOCK & KEY LLC	18.28
ABG MAINTENANCE INC	170.40
AMERICAN INSTITUTIONAL SUPPLY	114.47
AMERICAN LEGAL PUBLICATIONS	64.26
ARVIG COMMUNICATION SYSTEMS	200.00
BANK OF AMERICA LEGAL ORDER PR	28.45
BATTLE LAKE AUTO PARTS	9.34
BEN HOLZER UNLIMITED	70.24
BOB BARKER COMPANY INC	240.25
BOUND TREE MEDICAL LLC	59.80
BRANDON COMMUNICATIONS INC	226.88
BRAUN VENDING INC	21.52
BRETZ HARDWARE	148.21
BYTWARE	690.33
CABELA'S INC	179.99
KAREN CANNELL	9.04
CARR'S LAKE COUNTRY SUPERMARKE	221.22
MELINDA CARRLSON	480.38
CDW GOVERNMENT INC	17.41
CERTIFIED AUTO REPAIR	71.24
CHEMSEARCH	115.16
CHRISTENSEN CONSTRUCTION	7,605.00
CHRISTENSON ELECTRIC INC	323.30
CIT TECHNOLOGY FIN SERV INC	190.53
CO OP SERVICES INC	1,963.14
CODE 4 SERVICES LLC	1,457.32
COMMISSIONER OF TRANSPORTATION	8,489.62
COMPANION ANIMAL HOSPITAL	30.44
COOPERS TECHNOLOGY GROUP	40.17
CULLIGAN	33.71
CULLIGAN WATER COND	276.45
D & T VENTURES LLC	464.00
DACOTAH PAPER COMPANY	181.94
DAKOTA PRINTERS LLC	232.80
DEANS COUNTRY MARKET	16.75
DENZEL'S REGION WASTE INC	1,325.78
DYNAMIC IMAGING SYSTEMS INC	3,570.96
EVERTS LUMBER CO	8.08
FARNAM TIRE CENTER	24.00
FARNAM'S GENUINE PARTS INC	177.92
FASTENAL COMPANY	29.18
FERGUS ELECTRIC	134.75
FERGUS FALLS DAILY JOURNAL	5,038.10
FERGUS FALLS POLICE DEPT	380.99
CITY FERGUS FALLS	7,907.66
FERGUS POWER PUMP INC	7,920.00
FERGUS TIRE CENTER	76.52
G & R CONTROLS	1,164.85
GALL'S INC	31.18
GEOCOMM	5,740.00
GOPHER STATE ONE CALL	39.80
HAMLIN LAW REVIEW	20.00
MIKE HANAN	19.00
HEALTHCARE ENVIRONMENTAL SERVI	29.10
HEARTLAND AUDIO INC	4,285.78
HEDAHL'S HEADQUARTERS	55.10
HENRY'S FOODS INC	958.68

OTC Board of Commissioners' Minutes  
 August 18, 2009  
 Attachment A, Page 2

HITESMAN & ASSOCIATES PA	686.00
HSBC BUSINESS SOLUTIONS	965.90
IN RANGE LLC	248.63
K.I.D.LEASING	256.44
KELLY SERVICES INC	1,991.68
KNUTE NELSON HOME CARE	232.38
KRIS ENGINEERING INC	152.36
L & L SERVICE	106.00
LAKE REGION HEALTHCARE CORP	1,536.81
LAKES AREA PEST CONTROL LLC	83.36
LARRY OTT INC TRUCK SERVICE	625.00
LARRY'S SUPERMARKET	83.30
LEITCH EXCAVATING	932.00
LOCATORS & SUPPLIES INC	834.32
LONG WEEKEND SPORTSWEAR	4,202.88
MARCO INC ST LOUIS	320.89
MARIPOSA PUBLISHING	14.10
MARK SAND & GRAVEL CO	89,703.73
MATTHEW BENDER & COMPANY INC	1,670.50
THE MIDWEEK	63.96
MN CO INSURANCE TRUST	100.00
MN DEPT OF LABOR & INDUSTRY	100.00
MN DEPT OF LABOR AND INDUSTRY	20.00
MN STATE BAR ASSOCIATION	1,063.04
MOORE MEDICAL LLC	180.45
ANNE MUELLER	16.99
NAPA FERGUS FALLS	63.59
NAPA STANDARD PARTS OF WADENA	83.47
NETWORK CENTER COMMUNICATIONS	215.00
NORTHERN SAFETY TECHNOLOGY INC	549.65
OFFICEMAX INCORPORATED	216.40
OLSON OIL CO INC	127.36
ONE CALL LOCATORS LTD	385.60
OTTERTAIL TRUCKING INC	9,020.00
OUTDOOR RENOVATIONS LANDSCAPE	93.52
PAMIDA INC 008	8.98
PARK REGION CO OP	70.86
PEPSIAMERICAS	666.25
PERHAM CO OP CREAMERY	1,095.64
PERHAM ENTERPRISE BULLETIN	670.14
PRAXAIR DISTRIBUTION INC	425.36
PREMIUM WATERS INC	25.59
HENRY PRICE	280.00
PRO AG FARMERS CO OP	2,322.86
QUARTERMASTER	14.05
RDO EQUIPMENT CO FARGO	1.88
RDO TRUCK CENTERS	1,185.08
ROTHSAY FARMERS CO OP	49.61
ROYAL TIRE INC	4,055.22
RYAN'S REPAIR	152.68
SBLC-FF	17.01
PETER SCOTT	128.25
SERVICE FOOD SUPER VALU	10.38
SHOREMASTER FABRIC PRODUCTS	25.00
SIGELMAN STEEL & RECYCLING INC	835.87
SOUTHTOWN C-STORE	339.43
STEINS INC	2,355.80
STEVE'S SANITATION INC	4,426.78
STREICHERS	2,211.89

STRINGER BUSINESS SYSTEMS INC	73.28
SUPER SEPTIC INC OF PELICAN RA	77.19
SUPERIOR LAMP INC	356.63
RICKY SWANBERG	39.50
SWANSTON EQUIPMENT CORP	5,212.45
THRIFTY WHITE DRUG	14.00
TITAN ACCESS ACCOUNT	483.94
VERGAS 66	1,163.81
VICTOR LUNDEEN COMPANY	694.37
VOSS LIGHTING	436.91
DENISE WAHLGREN	9.03
WALLWORK TRUCK CENTER	634.42
WASTE MANAGEMENT	53,695.75
WELLER OIL CO	130.00
WEST PAYMENT CENTER	5,453.86
WHITE BANNER UNIFORM SHOP	203.00
<u>**** FINAL TOTAL.....</u>	<u>\$270,397.53 ****</u>

approved minutes